

Expedited Bill No. 17-05  
Concerning: Licenses - Benefit  
Performances  
Revised: 6-3-05 Draft No. 1  
Introduced: June 14, 2005  
Enacted: July 26, 2005  
Executive: August 4, 2005  
Effective: August 4, 2005  
Sunset Date: None  
Ch. 18, Laws of Mont. Co. 2005

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Councilmember Silverman

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**AN EXPEDITED ACT** to:

- (1) allow certain organizations to contract for operation of benefit performances; and
- (2) generally amend the law governing licensing of benefit performances.

By amending

Montgomery County Code  
Chapter 30, Licensing and Regulations Generally  
Section 30-4, Benefit performances

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Section 30-4 is amended as follows:**

**30-4. Benefit performances.**

(a) A bona fide non-profit organization may conduct a performance for the exclusive benefit of a volunteer fire department, or a charitable, benevolent, patriotic, fraternal, educational, religious or civic object. A benefit performance includes an outdoor or indoor carnival, fair, picnic, dance, card party, bazaar, concert, contest, horse show, exhibition, lecture, barbecue, or dinner, to which the public is invited or admitted, with or without charge for admission. The net proceeds must benefit solely the non-profit organization.

(b) At a benefit performance, [it is lawful to] the organization or operator may award prizes in merchandise, conduct games of skill, dispose of merchandise [and] or any other [things] thing of value by auction or voting or by any mechanical [devices] device, such as a paddle [wheels] wheel, [wheels] wheel of fortune, bingo, or similar [devices] device. [Nothing in this Section, however, permits awarding] However, the organization or operator must not award prizes in money or tokens or certificates redeemable in money, in any game, auction, contest, or method which is prohibited under any State or County gaming [laws] law.

(c) Before [operating] conducting any benefit performance, any organization must obtain from the Director of Permitting Services a written permit under this Chapter. A benefit performance must be managed [and operated only] by [members of] the organization [personally] that will benefit from it, and may be operated by or with a contractor of that organization.

(d) Any person who [operates] conducts a benefit performance in violation of this Section has committed a class A violation.

**Sec. 2. Expedited Effective Date.**

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

*Approved:*

/s/ 7/28/05

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Thomas E. Perez, President, County Council Date

*Approved:*

/s/ 8/4/05

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Douglas M. Duncan, County Executive Date

*This is a correct copy of Council action.*

/s/ 8/8/05

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Linda M. Lauer, Clerk of the Council Date